

Exhibit 55

Plaintiffs' Corrected Averment of Jurisdictional Facts and
Evidence and/or Statement of Facts as to Defendant Al Rajhi Bank
Pursuant to Rule 56.1

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Intelligence Report

DCI Counterterrorist Center

9 April 1999

Islamic Terrorists: Using Nongovernmental Organizations Extensively (U)

Many Islamic terrorist and extremist groups—including all of the nine Islamic groups that the US State Department officially has designated as terrorist organizations—rely on nongovernmental organizations (NGOs) for funding, and their exploitation of these organizations is likely to grow.

- *NGOs also provide an easily exploitable international network for logistics support, which for many terrorists is more valuable than the funds they may receive through NGOs. ()*

Although there are more than 6,000 Islamic NGOs and charities, only a few dozen support terrorists. Those that do generally fall into three basic categories:

- *Large, internationally active organizations headquartered in the Persian Gulf countries, which provide official support to the NGOs. These organizations most often are exploited by individual employees sympathetic to terrorist causes without the knowledge of the organization's leadership. The illicit activity tends to take place at local branch offices rather than at headquarters locations.*
- *Private NGOs, some of which are headquartered outside the traditional Muslim world. Several offices of these NGOs exist solely to support a militant cause, such as the Afghan or Bosnian mujahedin, making them somewhat more susceptible to extremist penetration.*
- *NGOs closely affiliated with a state sponsor of terrorism and operating as a foreign policy or intelligence tool of the state. State ties to NGOs are often well known, leading some state sponsors to penetrate smaller, locally run NGOs to avoid detection. ()*

The availability of funds, cover, and logistics networks makes NGOs an appealing resource for terrorist groups. NGOs typically are awash in money—the Muslim World League's budget is more than \$26 million annually, and the annual budget of the International Relief Organization has never dipped below \$50 million—and tapping into the funds offers terrorists some independence from traditional state sponsors, who often attempt to control such groups for their own purposes. The

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logistical support NGOs offer includes cover employment, false documentation, travel facilitation, training, and, in some cases, weapons. Most Islamic terrorist groups maintain relationships with several NGOs, which protects them from the closure of any one organization. Terrorists typically penetrate NGOs by finding individual sympathizers who divert resources in support of the group, but in a few instances, entire NGO offices, including senior management positions, are staffed by extremists. The use of legitimate NGOs has proven so successful that some terrorist groups and the state sponsors of terrorism have created their own NGOs to hide their terrorist activities. [redacted]

Most efforts by Persian Gulf states to curb terrorist use of NGOs by restricting the collection of funds within their borders have been ineffective, largely because the steps taken do not address the diversion of resources at the branch offices.

Domestic popular support in the Gulf states for the work of Islamic NGOs often outweighs pressure on these governments to improve NGO accountability. Donors may be reluctant to contribute to an NGO publicly linked to terrorism in the aftermath of a specific terrorist incident, but over time these donors tend to believe such cases are rare and that their contributions are going toward the NGO's legitimate work. [redacted]

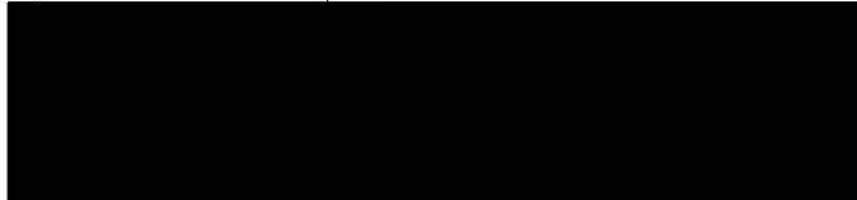
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[REDACTED]**Islamic Terrorists: Using Nongovernmental Organizations Extensively (U)****Scope Note**

This intelligence report provides an update and elaboration of the 26 July 1995 Intelligence Report, "International Islamic Charitable Organizations: Pursuing Multiple Agendas." This assessment examines specific foreign-based nongovernmental organizations (NGOs) that provide terrorists with infrastructure support independent of the NGOs' legitimate, humanitarian, or charitable work.



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Islamic Terrorists: Using Nongovernmental Organizations Extensively (U)

Most nongovernmental organizations (NGOs) worldwide are accredited with the United Nations, and many work with the United Nations High Commission for Relief following natural disasters or other humanitarian crises, providing food, clothing, shelter, immediate medical care, and other social services. The majority of Islamic nongovernmental organizations are educational or charitable non-profit organizations established by Sunni Islamic activists and typically pursue a double agenda—to provide humanitarian relief to needy communities and to spread the Islamic faith as they interpret it. Islamic NGOs also consider the defense of Muslims involved in armed conflicts part of their "humanitarian" duties—explaining why many Islamic NGOs provided support, including weapons, to the Afghan and Bosnian *mujahedin* forces in the 1980s and 1990s, respectively.

- Despite their nongovernmental status, many Islamic NGOs receive substantial financial support from traditional Muslim government institutions. In particular, the Saudi-based Muslim World League (MWL) is funded exclusively by the Saudi Government and has served as an umbrella for other Saudi-based NGOs. [REDACTED]

Three Types of NGOs Used by Terrorists [REDACTED]

Of the more than 6,000 Islamic NGOs and charities, only a few dozen—which fall into three basic categories—support terrorists. [REDACTED]

The first group includes the large, internationally active NGOs based in Saudi Arabia or one of the Persian Gulf states that are exploited by individual employees with ties to extremists. These NGOs receive the political—and sometimes financial—support of their host governments. Terrorist abuse of such NGOs takes place at the local branch office rather than at the organizations' headquarters. Senior NGO leaders usually are unwitting of the activity and willing to take corrective action when apprised of the abuse.

- Although the MWL headquarters, for example, avoids extremist causes, sympathizers within several MWL affiliate organizations—including the International Islamic Relief Organization (IIRO)—have provided terrorists with funding and coveremployment, documentation, and training, according to [REDACTED] press reporting.

This memorandum was prepared by [REDACTED] DCI Counterterrorism Center. Comments and queries are welcome and may be directed to the Chief, [REDACTED] (U)

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- Employees of the Islamic World Committee (IWC), a large NGO that receives official Kuwaiti support, have helped provide cover employment to Islamic Resistance Movement (HAMAS) members.

The second type of NGO terrorists use are the private organizations—some also are headquartered in the Persian Gulf countries—that either have opened offices in areas of military conflict involving Muslims or have grown out of such conflicts. The outbreak of the Balkans conflict in the mid-1990s increased significantly the number of these organizations, as Islamic activists opened Europe-based NGOs to aid Bosnian Muslims.

- The Pakistan-based Maktab al-Khidamat (MAK) is the premier example of this type of NGO. Established in Peshawar in 1984 by Usama Bin Ladin and Palestinian Abdallah Azzam to facilitate the travel and training of Arab volunteers to fight with the *mujahidin* in Afghanistan, according to [redacted] press reporting, the NGO has opened new offices in at least 20 [redacted] since the mid-1980s.
- The Bosnia-based offices of the Human Concern International (HCI), headquartered in Canada, were established to aid victims of the Balkans conflict in the mid-1990s.
- Employees of [redacted] —an NGO [redacted] have provided [redacted] an *mujahedin*, according to [redacted] press reporting.
- The Muwafaq Foundation, headquartered in the United Kingdom, opened an office in Pakistan in 1991 and several offices in the Balkans in the mid-1990s.

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[REDACTED] was investigating [REDACTED]
an NGO [REDACTED] for
providing legal documentation to [REDACTED]
extremists [REDACTED]

Finally, the third type of NGO terrorists use is one that maintains a close affiliation with a state sponsor of terrorism and often acts more as a foreign policy or intelligence tool of the state sponsors, particularly Iran, Sudan, and Libya.²

- Iran's Red Crescent Society largely functions as an official Iranian Government institution—information suggests Tehran uses it as cover for intelligence activities in places such as Bosnia.

[REDACTED]

Funding and Logistics Drive NGO Use [REDACTED]

Many Islamic terrorist and extremist organizations use NGOs to fund their activities. For many terrorists, NGOs represent a dependable, and seemingly endless, resource base. The popularity of the legitimate charitable work performed by most NGOs ensures their staying power and ability to raise money. The Muslim World League's budget is more than \$26 million annually, and the IIRO's annual budget has never dipped below \$50 million.

- Most Islamic terrorist groups have sought out a relationship with NGOs to enhance their independence from state sponsors, such as Iran, Libya, or Sudan, which frequently have attempted to control the groups they sponsor.

[REDACTED]

² The US Department of State reviews states suspected of sponsoring terrorism and provides an official list of these annually. Currently, Iran, Iraq, Sudan, Libya, Syria, North Korea, and Cuba are on that list. (U)

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Using a number of NGOs affords terrorist groups protection from potential financial disruptions, such as from the closure of any one NGO. [REDACTED]

[REDACTED] NGOs play a significant role in supporting HAMAS financially, funding the group's social service program, serving as front organizations for HAMAS's overseas fundraising, and transferring money to HAMAS's leadership, [REDACTED] The Egyptian al-Gama'at al-Islamiyya has links to [REDACTED] Islamic NGOs that provide these and other services, [REDACTED]

[REDACTED]

NGOs also have provided terrorist and extremist groups with logistical support, which in many cases may be more valuable than outright funding. Several Islamic NGOs offer terrorists cover employment, false documentation, travel facilitation, training, and in some cases, weapons.

- MAK offices have provided terrorists with identity and travel-related documents, legal assistance, and training, [REDACTED]. Press reporting indicates that World Trade Center bomber Ramzi Yousef received safehaven from the MAK and that the MAK's US-based office was a focal point for Yousef and his co-conspirators.
- Usama Bin Ladin's brother-in-law, Muhammad Jamal Khalifah, who directed the IIRO in the Philippines, provided funding and some logistics support to Yousef and his associates in 1995 as they plotted to bomb at least 12 US airliners in East Asia.

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Case Study: Bin Laden Use of al-Haramayn (S [REDACTED])

Usama Bin Laden has established close relationships with employees in several al-Haramayn offices, [REDACTED] and has used these ties to divert resources to support his terrorist agenda, [REDACTED]

[REDACTED] Some of these employees probably either planted or coopted by Bin Laden after they began working for the NGO.

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[REDACTED]

Extremists have capitalized on the international status of many NGOs to maintain cells and secure safehavens in several countries. Most Islamic charitable NGOs are accredited with the United Nations High Commission for Refugees (UNHCR), which gives them credentials terrorists can use to travel more freely across borders and to establish cells in new areas under the guise of pursuing a humanitarian mission.

- Of the [REDACTED] NGOs providing support to the Egyptian al-Gama'at al-Islamiyya, most have offices in more than a dozen countries.

[REDACTED]

Various Methods of Infiltrating NGOs [REDACTED]

Terrorist groups typically exploit NGOs by establishing a close relationship with an NGO employee who sympathizes with their cause. The sympathizer then diverts NGO funds or logistics support to the terrorist group, usually in small amounts to avoid detection by NGO management.

[REDACTED]

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[REDACTED]

In a few cases, NGO offices are staffed almost entirely by extremists, probably the result of sympathizers convincing their colleagues to engage in the illicit activity or senior managers directing their subordinates.

[REDACTED]

- Al-Gama'at al-Islamiyya, HAMAS, and Algerian extremists use the Pakistan-based MAK—known for its terrorist sympathies and ties to Bin Laden—for financial and logistics support in countries where the NGO has an office, according to [REDACTED] press reporting. [REDACTED]

State sponsors increasingly have turned to private NGOs to hide their involvement in terrorism.

[REDACTED]

Bin Laden apparently has created his own NGOs and planted members of his organization, al-Qa'ida, in others.

- [REDACTED] Wadi al-Hage established Africa Help in Nairobi as a front for al-Qa'ida activities. Al-Qa'ida and al-Ittihad al-Islami members probably used Africa Help identity documents as cover for their travel between Afghanistan, Sudan, and Somalia in the mid-1990s.

[REDACTED]

[REDACTED]

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- The director of the Yemen-based office of Mercy International, a member of Usama Bin Laden's al-Qa'ida organization, provided other al-Qa'ida members with cover documents and identity cards to support terrorist operations in Somalia in 1994 without the knowledge of Mercy International's headquarters, [REDACTED]

Mixed Results in Curbing Terrorist Use of NGOs (C)

Minimal Efforts by Donor States. Efforts by Persian Gulf states to curb NGO support to terrorists have had limited impact and are only partially enforced. Control measures adopted in the past few years by the Governments of Saudi Arabia, Kuwait, the UAE, and Qatar—whose citizens are the major source of funding for Islamic NGOs—focus on the collection of funds within their countries only, offering no oversight of the finances once the money reaches branch offices or recipients abroad.

Saudi Arabia has adopted control measures in response to accusations that the Jiddah-based IIRO—ostensibly a privately funded charity—has supported Islamic terrorists in Afghanistan, Pakistan, the Philippines, and elsewhere. In mid-1997 the MWL attempted to assert control over the IIRO by appointing its secretary general as the chairman of the IIRO's Trustee Council. The Saudis have not attempted similar moves against other NGOs headquartered in their country.

- Despite Saudi efforts to curb terrorist use of the IIRO, its personnel in local branch offices continue to channel funds to terrorists and provide them with logistical support—such as cover employment, documentation, travel assistance and access to training—[REDACTED] [REDACTED] [REDACTED]. The director of the IIRO office in Baku, Az [REDACTED] diverted allegedly \$1.5 million to the Egyptian Islamic Jihad, acted after Riyadh had adopted control measures over the IIRO. [REDACTED]

A Closer Look: IIRO's Ties to Terrorism (C)

Individuals with militant sympathies are exploiting their positions in the Saudi-based IIRO to provide financial and logistical support to terrorists and other extremists.

[REDACTED] The senior IIRO leadership does not condone these non-humanitarian activities, but with offices in more than 90 countries—often run by local hires with minimum supervision—it is not able to monitor the day-to-day operations of its branches.

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- IIRO offices in regions with military conflicts, such as Afghanistan and Bosnia, gravitate toward more extremist activities, [REDACTED]

[REDACTED] Since offices in these areas are also more likely to be staffed by non-Saudi volunteers—primarily locals or other nationals—they have more flexibility to pursue their own agenda, [REDACTED]

The Saudi-based Muslim World League, which receives a majority of its funding from the Saudi Government and is frequently used by Riyadh as a mouthpiece, acts as the IIRO's parent organization. The MWL does not control the IIRO's budget, however, acknowledging that the lack of auditing procedures has made accountability a problem. The legitimate charitable work performed by the IIRO hampers the MWL from taking action against the organization despite embarrassment over some of its activities. [REDACTED])

Most IIRO funding is drawn from private donations, collection campaigns in mosques and schools, and small IIRO-run retail shops throughout Saudi Arabia, according to [REDACTED]

Major donors include members of the Saudi royal family, [REDACTED]

- IIRO operations include running or supporting schools, orphanages, medical clinics and hospitals in more than 90 countries, [REDACTED]
[REDACTED] Accredited by the UNHCR, the IIRO also runs programs in UN-sponsored camps for war refugees in Afghanistan, Pakistan, and in locations in Africa.
- Many prominent Saudi businessmen contribute generously to the IIRO through their *zakat*³ contributions, including the Al Rajhi family, which has an estimated wealth of \$20 billion. [REDACTED]

A few IIRO branches have turned to illegitimate means of financing their operations—including narcotics trafficking and counterfeiting—further increasing their independence and ability to support terrorism, [REDACTED]
MWL officials warn that lagging donations in Saudi Arabia are increasing pressure on NGOs to make some projects self-funding. (S [REDACTED])

³Zakat is an annual 2.5 percent levy on increase in wealth. Because Islam proscribes taxation, Saudi Arabia allows its citizens to make voluntary charitable contributions to meet their zakat obligation. (U)

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[REDACTED]

Kuwait adopted the Mosque Accord in 1995, which called for the substitution of NGO-run collection efforts at mosques with government-run centers staffed by accountants. Nonetheless, the government's poor followthrough and inadequate auditing procedures allow Kuwait-based NGOs to collect donations with little recordkeeping. [REDACTED] The lack of a system to verify the end use of the donations allows Kuwait-based charities to continue assisting foreign terrorists and extremists.

- [REDACTED] the Azerbaijan office of the Kuwaiti Revival of Islamic Heritage Society employs Usama Bin Ladin associates and provides false documentation to numerous extremists, despite steps by Kuwaiti authorities to limit terrorist use of their NGOs. [REDACTED]

The UAE stepped up efforts against suspect NGOs in 1996, removing from mosques some collection boxes [REDACTED] by Human Appeal International (HAI) and other suspect NGOs.

[REDACTED]

- Qatari NGOs in the West Bank and Gaza still are run by Palestinians who funnel money to HAMAS without the knowledge of the organizations' headquarters.
- Doha also removed the former Awqaf Minister Abdallah bin Khalid al-Thani after complaints [REDACTED] that he facilitated the travel of terrorists and extremists through Qatar, but he subsequently was appointed Interior Minister. [REDACTED]

Several factors work against a stronger response from host countries.

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- Separating funding used for illicit versus legitimate activities is difficult. No method currently exists to ensure that funds collected in the Gulf states by NGOs are not diverted to terrorists or their supporters in the branch offices.
- Even if host countries controlled the donor collection process, terrorists could still use local branch offices for logistics support.
- The popularity of Islamic NGOs in the traditional Muslim world, with their religious and humanitarian mandates, makes strong actions a tough sell to local constituencies. Gulf state governments, in particular, may fear that efforts to control NGOs or pressure them to control themselves would be viewed by the public as limiting the organizations' ability to perform its legitimate tasks. The Saudi Government, for example, touts its support for Islamic charities as part of its Islamic credentials. [REDACTED]

Actions Against Individual Abusers a Successful Tactic. The greatest success against terrorist abuse of NGOs has come in the form of legal or official action against individuals. Such action not only disrupts temporarily the terrorists' flow of support, but the resulting negative publicity also has forced some NGOs to monitor their personnel more closely to avoid losing donors.

- Manila has barred Muhammad Jamal Khalifah, the former head of the IIRO's branch office in the Philippines and brother-in-law to Usama Bin Ladin, from reentry for his support to the terrorist Abu Sayyaf Group (ASG). Khalifah currently is attempting to continue his support to the ASG and extremists elsewhere through his private companies, but his ties to the IIRO appear to be severed, and the IIRO is continuing its own efforts to rebuild its damaged reputation as a legitimate humanitarian organization.

Closing an entire NGO branch office has proven a significant—though sometimes temporary—disruption to terrorists, forcing extremists in the vicinity to scale back their activities.

- The Zenica high court banned the Islamic Balkans Center and the Kuwaiti Revival of Islamic Heritage Society in mid-1997, leading many former *mujahedin* in:

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Bosnia to avoid activities the government would consider terrorist related,

- Kenyan authorities de-registered four NGOs, [REDACTED] following the bombings in August 1998 of US Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. [REDACTED])

Growing Reliance on NGOs Creates Potential Vulnerabilities [REDACTED]

Islamic terrorist and extremist groups' reliance on NGOs for both funding and logistics support is likely to grow. Financial sanctions against state sponsors of terrorism and foreign terrorist organizations imposed in recent years have forced terrorist groups to diversify their resources.

[REDACTED] Moreover, the growing body of transnational *mujahidin*, many of whom relied on Islamic charities during the Afghan war in the 1980s, are adept at exploiting NGOs to insert themselves quietly into regions with conflicts involving Muslims. [REDACTED)

[REDACTED]

- Unfavorable publicity concerning terrorist-ridden local branches or individual extremists employed by NGOs could persuade NGO headquarters' elements to improve their oversight of employment and travel documentation and the accountability of funds. Moreover, donor or host nations could take advantage of

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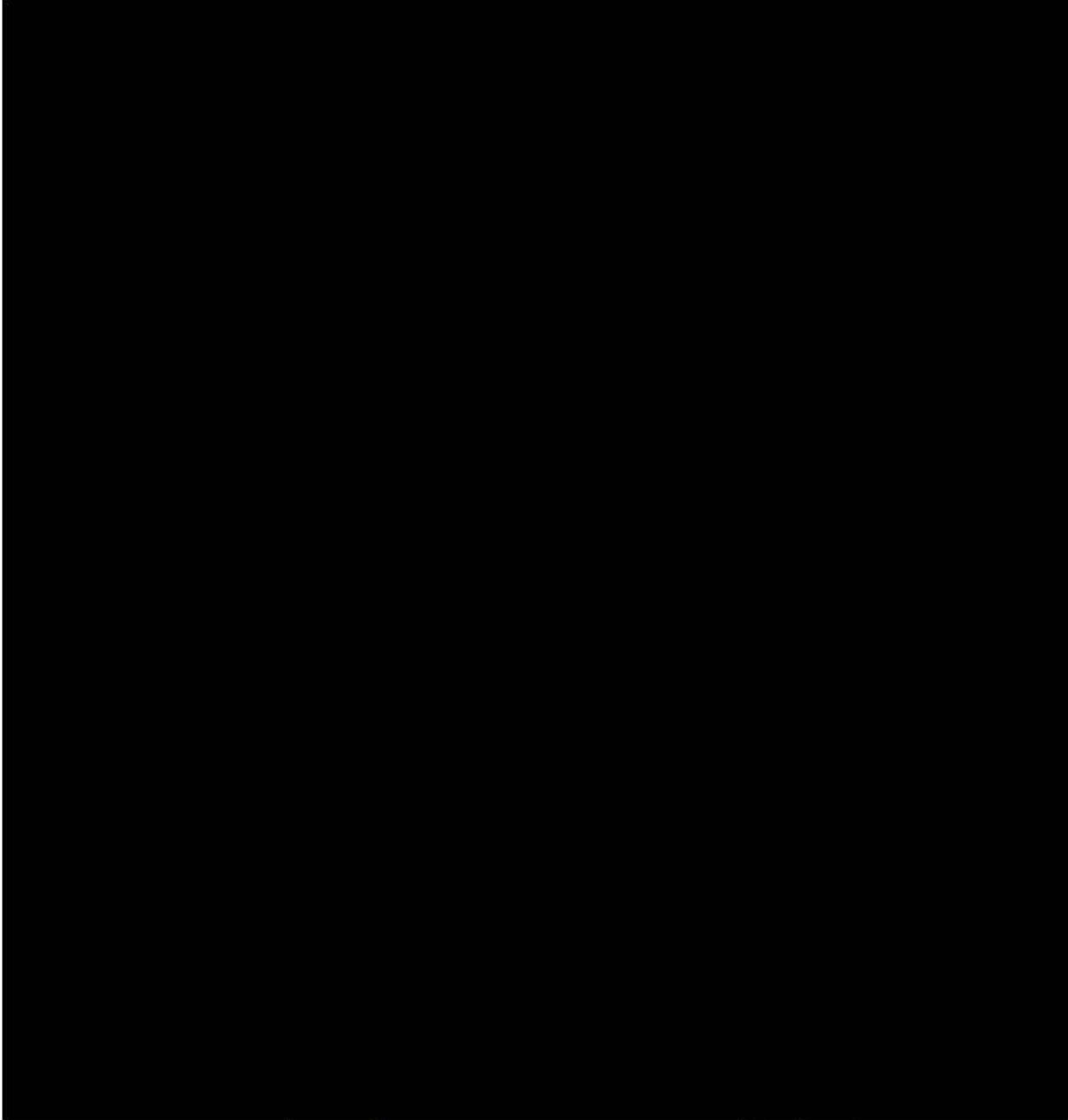
negative public opinion to impress upon NGO leaders the need to adopt such measures. ■

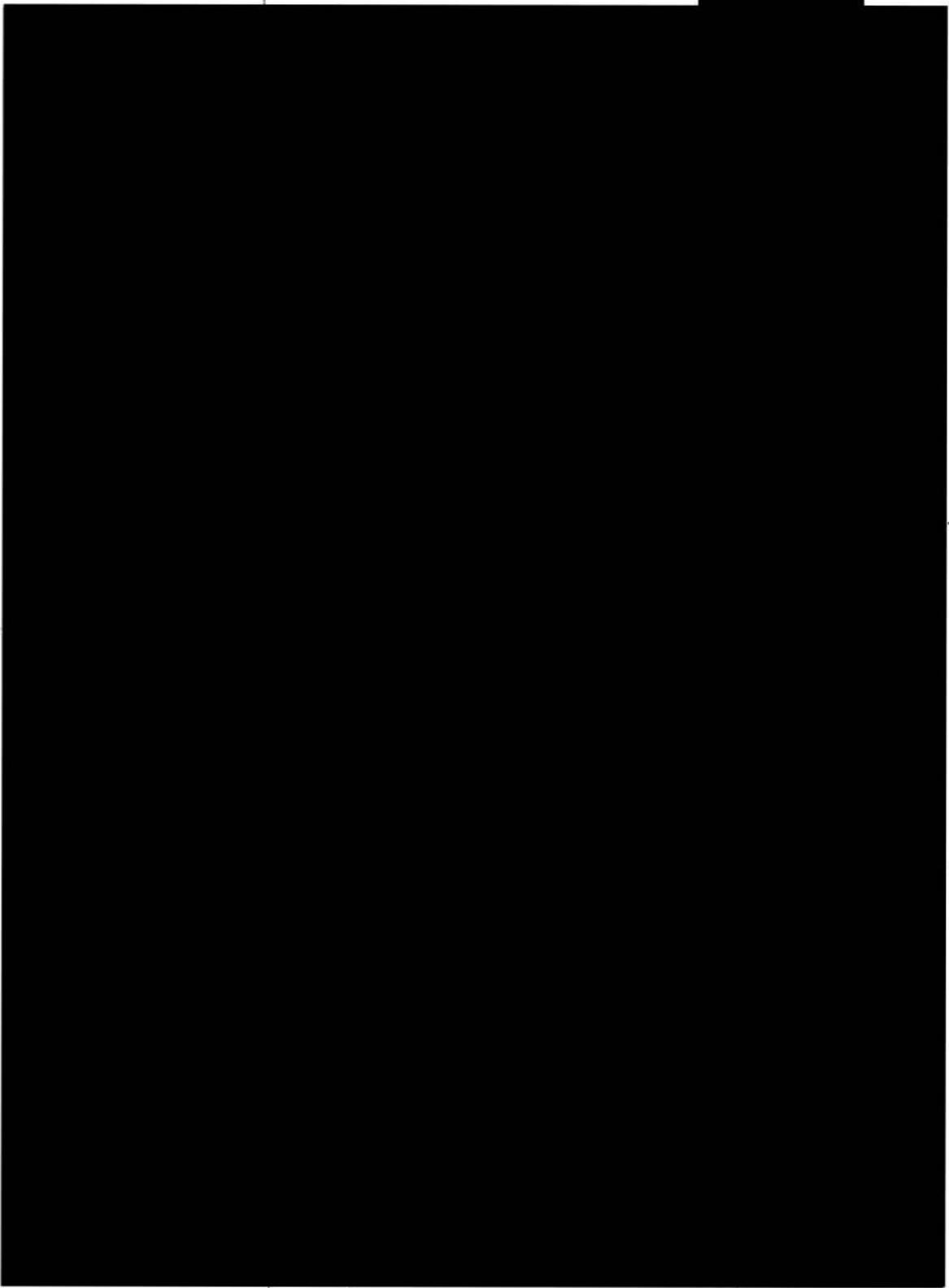
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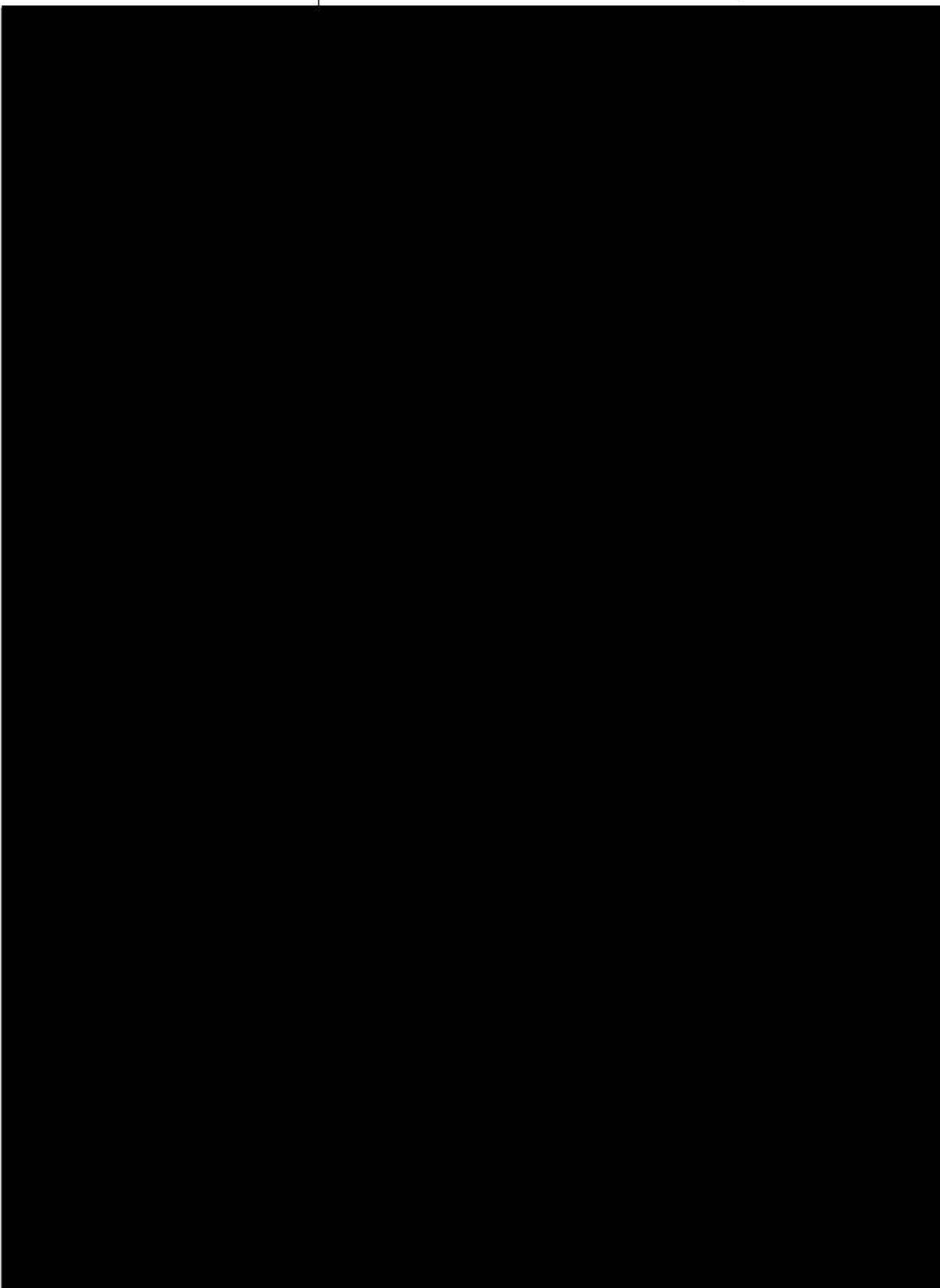
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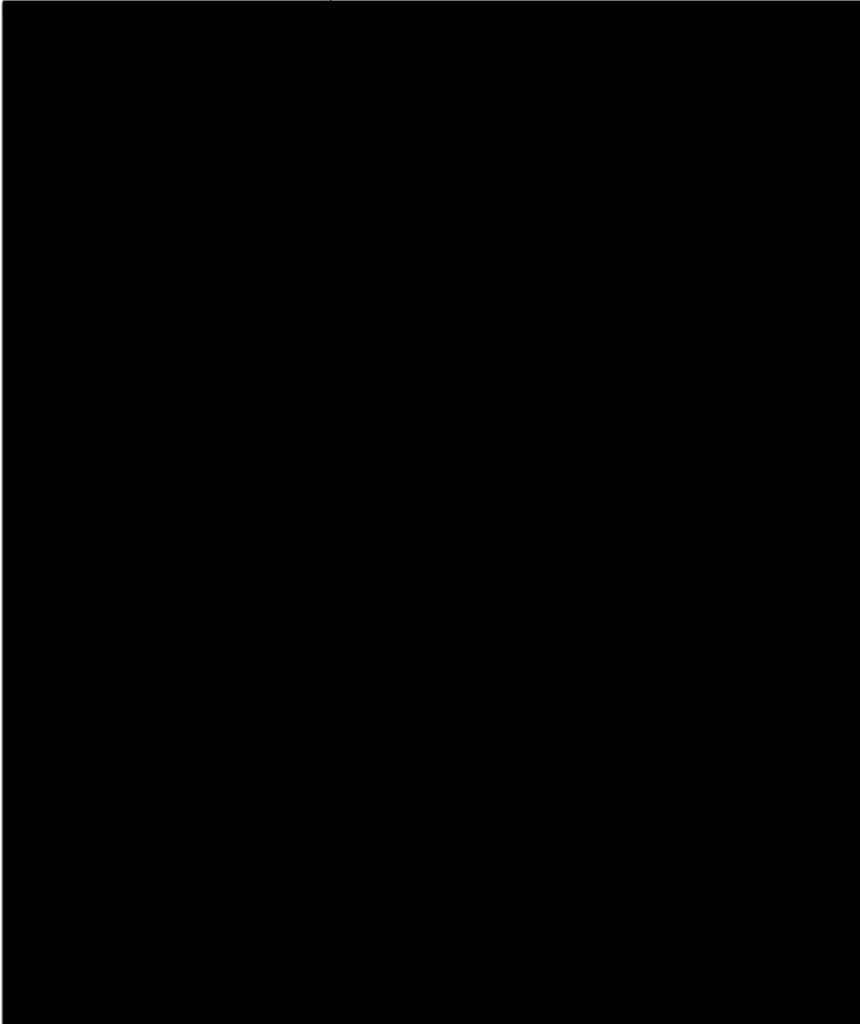
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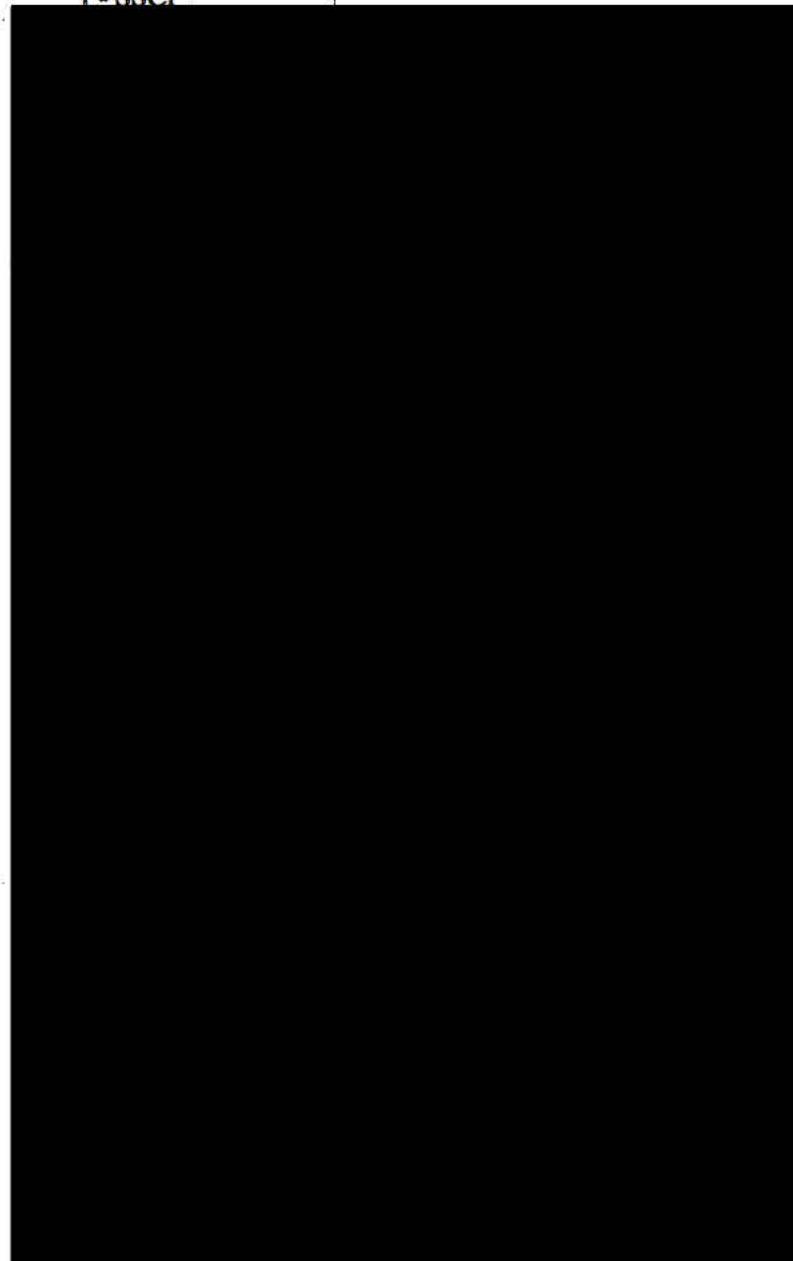
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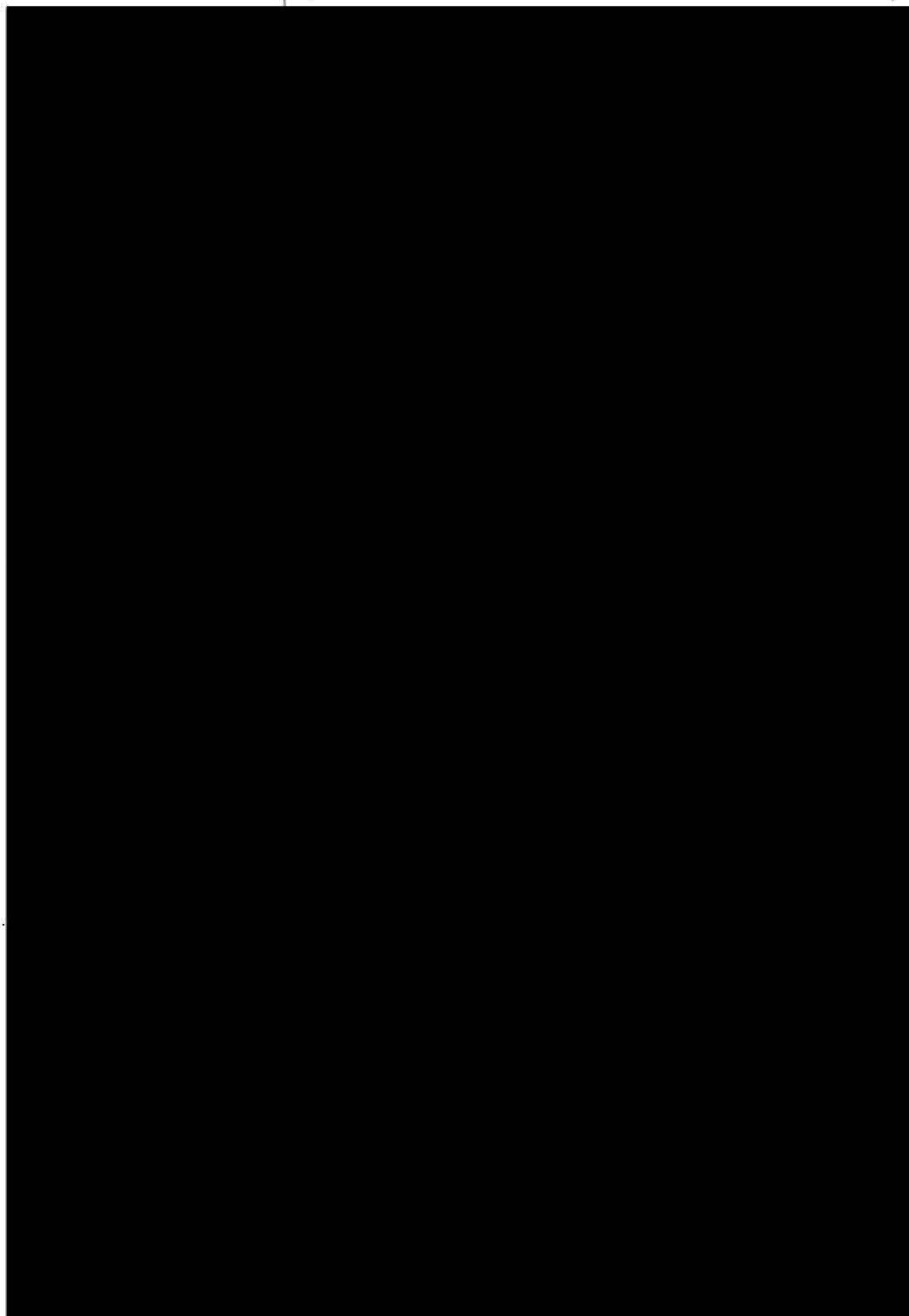
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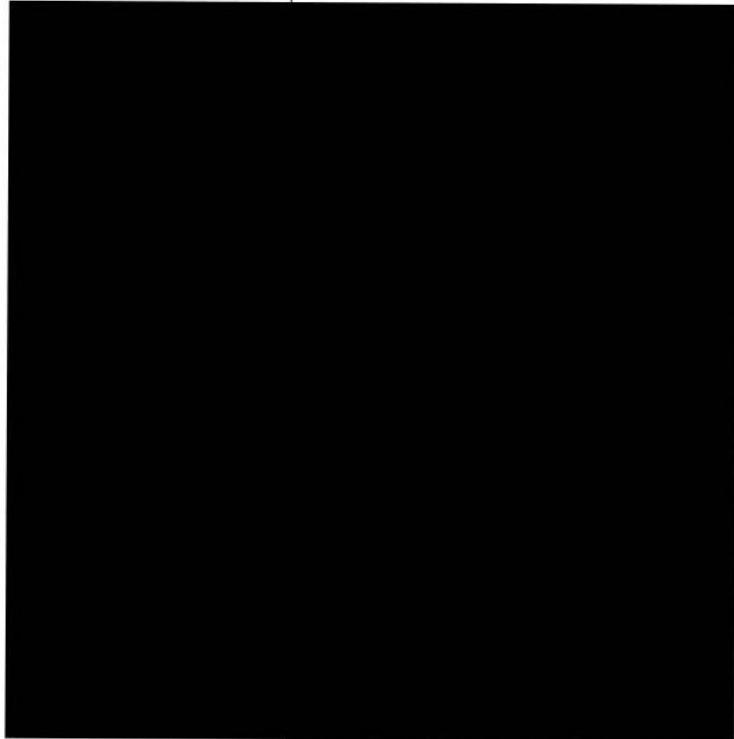
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